

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M - EVALUATION FACTORS FOR AWARD

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PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M - EVALUATION FACTORS FOR AWARD

M.1 EVALUATION OF PROPOSALS

- (a) This acquisition will be conducted pursuant to the policies and procedures in Federal Acquisition Regulation (FAR) Part 15 and Department of Energy Acquisition Regulation (DEAR) Part 915. Proposals will be evaluated by the Government in accordance with the applicable procedures contained in FAR Part 15, DEAR Part 915, and the Evaluation Criteria hereinafter described.
- (b) The Government intends to evaluate proposals and award one contract to a single Offeror. The Government intends to make award without discussions with Offerors, although clarifications as described in FAR 15.306(a) may be required. Therefore, the Offeror's initial proposal should contain the Offeror's best terms from both a technical and cost standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.
- (c) A proposal will be eliminated from further consideration before the initial ratings if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the essential requirements of the RFP, or if it clearly demonstrates that the Offeror does not understand the requirements of the RFP. Cursory responses or responses which merely repeat or reformulate the Statement of Work will not be considered responsive to the requirements of the RFP. In the event that a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (d) Prior to an award, a finding will be made regarding whether any possible Organizational Conflicts of Interest exists with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this determination, the Contracting Officer will consider the representation required by Section K of this solicitation. An award will be made if there is no Organizational Conflicts of Interest or if any potential Organizational Conflicts of Interest can be appropriately avoided or mitigated.
- (e) For the purpose of evaluating information on an Offeror's technical capabilities, experience, and past performance, the Government will consider information on all of those companies comprising the Offeror's "contractor team arrangement" that will perform major or critical aspects of the Statement of Work as well as on the single legal entity submitting the offer.
- (f) Any exceptions or deviations to the terms of the model contract (see Section L provision entitled "Content of Resultant Contract") may make the offer unacceptable for award without discussions. If an Offeror proposes

exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the Contract. Moreover, a large number of exceptions or one or more significant exceptions not providing benefit to the government may result in the elimination of the proposal from further consideration.

- (g) With respect to the Offeror's proposed Small Business Subcontracting Plan, the Plan will be assessed against the 11 elements set forth in FAR 52.219-9(d) to determine its acceptability. Offerors should note that the incumbent contractor's goals and actual achievements, which can be found at the website <http://www.emcbc.doe.gov/SRS>, will be considered as an indicator of minimum practicable expected performance.
- (h) Federal Law prohibits the award of a contract under a national security program to a company owned by an entity controlled by a foreign government unless the Secretary of Energy grants a waiver. In making this determination, the Government will consider the Offeror's Foreign Ownership, Control, or Influence (FOCI) submission required by the Section K-3 provision entitled "DEAR 952.204-73 Facility Clearance".

M.2 BASIS FOR CONTRACT AWARD

DOE intends to award one (1) Contract to the responsible Offeror whose proposal is responsive to the Solicitation and determined to be the best value and most advantageous to the Government. Selection of the best value to the Government will be achieved through a process of evaluating the strengths and weaknesses of each Offeror's proposal in accordance with the *Evaluation Factors* in the Solicitation.

In determining best value to the Government, the Technical and Management Evaluation Factors are significantly more important than the Evaluated Price. The Government is more concerned with obtaining a superior Technical and Management proposal than making an award at the lowest Evaluated Price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Technical and Management proposal over another. The Government will assess the strengths and weakness between or among competing technical proposals from the standpoint of: (1) what the difference might mean in terms of anticipated performance; and (2) what the evaluated price to the Government would be to take advantage of the difference. The closer or more similar in merit that Offeror's Technical and Management proposals are evaluated, the more likely the Evaluated Price may be the determining factor.

M.3 RELATIVE IMPORTANCE OF EVALUATION FACTORS

As described in M.4 below, the evaluation factors are as follows:

- (a) Technical Evaluation Factors

- (1) Key Personnel
- (2) Relevant Experience
- (3) Technical Approach
- (4) Business Approach
- (5) Past Performance

(b) Cost/Price Evaluation Factor

In determining the best value to the Government, the ratings for the technical evaluation factors, when combined, will be considered significantly more important than the cost/price evaluation factor. The Key Personnel technical evaluation factor will be considered more important than the other four individual technical evaluation factors. The Relevant Experience, Technical Approach, and Business Approach technical evaluation factors are of equal importance. The Past Performance technical evaluation factor will be considered the least important technical evaluation factor.

M.4 TECHNICAL EVALUATION FACTORS

(a) Technical Factors. Technical aspects of proposals will be evaluated in accordance with the following factors:

1. Factor 1 – Key Personnel (Evaluated through Key Personnel Resumes and Oral Presentations)

Items (1) and (2) below are not separately weighted.

(1) Key Personnel Resumes: The Key Personnel resumes will be evaluated in the following areas:

- a. Experience on work similar in size, scope and complexity to that described in the Statement of Work;
- b. Qualifications;
- c. Education;
- d. Suitability to the proposed position;
- e. Clearance status; and
- f. Commitment Letter to Offeror.

Failure to demonstrate the ability to obtain required access authorizations may result in a lower evaluation rating or the Offeror's proposal being removed from further consideration. Additionally, failure to submit letters of commitment for Key Personnel may result in a lower evaluation rating or the Offeror's proposal being eliminated from further consideration for award.

(2) Key Personnel Oral Presentations: The Government will evaluate the

Offeror's Oral Presentations based on the Key Personnel employees' responses to the three (3) managerial scenarios. In evaluating the responses, DOE will consider:

- The demonstrated level of understanding for the management challenges posed by the problem;
- The demonstrated quality of teamwork observed throughout the process;
- The degree to which the Offeror's oral response is consistent with the Offeror's written proposal;
- The viability of the Offeror's responses; and
- The quality and effectiveness of Offeror's communication.

2. Factor 2 – Relevant Experience

DOE will evaluate the demonstrated experience of the Offeror's organization, its parent company, and its teaming partners, if any, in providing and supporting relevant protective force security services. Evaluation of this factor will focus on projects that are recent (within 5 years) and similar in size, scope, and complexity to that discussed in the Statement of Work. DOE will evaluate the Offeror's demonstrated capability to utilize its resources to respond to any challenges encountered in providing security services. DOE will also evaluate the Offeror's demonstrated experience in resolving issues with stakeholders and governmental regulatory agencies as well as labor relations issues. Additionally, DOE will evaluate the Offeror, its teaming partners, and major subcontractors with respect to and commensurate with the type and portion of work proposed to be performed by each entity.

3. Factor 3 – Technical Approach

DOE will evaluate the Offeror's demonstrated understanding of utilizing and providing protective forces to adequately execute programs and protect SRS assets pursuant to the directives specified in Section J, Attachment D entitled "DOE/NNSA Directives and Other Related Documents". This will include an assessment of the demonstrated effectiveness of the Offeror's approach to integrate site security operations with other site operations and to provide the full range of law enforcement capabilities to the SRS. Additionally, DOE will evaluate the demonstrated capability of the Offeror to provide competent security personnel throughout the contract period of performance in compliance with DOE policies and requirements.

DOE will evaluate the Offeror's demonstrated understanding of implementing and maintaining special response team (SRT), aviation, and canine operations capability. DOE will also evaluate the Offeror's understanding of and capability to provide effective explosive and chemical/biological response and instruction.

DOE will evaluate the effectiveness of the Offeror's approach to provide the training necessary to maintain all protective force members at an adequate level of tactical, technical, and professional proficiency. This will include rating

the sufficiency of Offeror's approach to manage training records, meet law enforcement qualifications, enhance professional development, and maintain required academic accreditation for its training curriculum. DOE will also evaluate the reasonableness of the Offeror's approach for maintaining effective document control and computer security procedures as they pertain to training records, and the feasibility of the Offeror's approach to providing training for Emergency Response Organizations and Safeguards and Security First Responders.

DOE will evaluate the effectiveness of the Offeror's approach to protect classified matter, ensure effective computer/operations security (OPSEC), employ technical security countermeasures, and provide high quality support to the site's security programs. DOE will also evaluate the Offeror's approach to providing a Performance Testing Program for its demonstrated capability to meet the requirements of applicable DOE directives and ensure high quality personnel security activities. DOE will evaluate how well the proposal demonstrates the knowledge necessary to implement and maintain a Safeguards and Security Self-Assessment (S&SSA) Program that will address the requirements of all applicable SOW functions and ensure effective operations.

DOE will evaluate how effectively the Offeror's proposed approach will support the execution of Protective Force functions. DOE will evaluate the demonstrated capability of the Offeror's Environment, Safety, and Health and Integrated Safety Management (ISM) programs to comply with requirements and protect workers, the public, SRS facilities, and the environment. DOE will also evaluate the feasibility of the Offeror's approach to maintain compliance with ISO 14001 and the reasonableness of the Offeror's approach to administer a Human Reliability Program.

4. Factor 4 – Business Approach:

DOE will evaluate how well the Offeror's approach can be expected to result in operational effectiveness and continuous improvement while accomplishing all contract requirements. Evaluation will also address the feasibility of the Offeror's approach to identifying risks associated with its management strategy for the protective force, its demonstrated understanding of the potential impact of these risks, and the effectiveness of any strategies proposed to minimize these risks. Additionally, DOE will assess the effectiveness of the Offeror's approach to recruit and retain highly skilled personnel and the commitment and/or available resources of Offeror's parent organization to support its efforts at SRS. This will include an analysis of the Offeror's proposed pay and benefits plan (including benefits and salary administration, pension, medical) for all incumbent transitioned employees and newly hired employees. DOE will evaluate the level of detail provided for the Offeror's organizational chart and the demonstrated ability of this structure to allocate resources to meet contractual requirements. This will include an analysis of the Offeror's discussion regarding the role of the individual responsible for the overall contract and the demonstrated effectiveness of this individual in obtaining support from other corporate elements within the

Offeror's organizational structure. DOE will also evaluate the level of detail provided in the Offeror's discussion of how Key Personnel will be utilized.

In addition, the Government will evaluate the effectiveness of the Offeror's approach to working with and resolving employee collective bargaining issues. DOE will evaluate the acceptability of the Offeror's approach for transition of the work and the workforce from the beginning of the transition period through full implementation and the extent to which it will minimize impacts on continuity of operations. Additionally, DOE will evaluate how competently the Offeror will collect and maintain routine records and how effectively it will manage personal property and equipment.

5. Factor 5 – Past Performance

DOE will evaluate the Offeror's (including teaming partners, LLC members, and major subcontractors) relevant past performance on contracts similar in size, scope and complexity to determine the degree to which it demonstrates the Offeror's ability to successfully perform the Statement of Work.

The Government will consider in its evaluation the relevance and similarity of the Offeror's past performance information, the Offeror's written discussion of past performance problems, and the effectiveness of the corrective actions taken to resolve those problems. DOE will evaluate the past performance of the Offeror, its teaming partners, and major subcontractors commensurate with the portion of work being performed by each entity.

In the case of an Offeror without a record of relevant past performance or for whom information on relevant past performance is not available, the Offeror will be evaluated neither favorably nor unfavorably on past performance.

To the extent that the Offeror's history with SDB concerns is identified or known, the Government will consider the Offeror's past compliance with subcontracting plan goals for SDB concerns and monetary targets for SDB participation.

During its evaluation, the Source Evaluation Board will review all the past performance information submitted by the Offeror, may contact some or all of the references provided by the Offeror, and may solicit past performance information from other available sources. These include Federal Government electronic databases, readily available government records (including pertinent prime contracts), and sources other than those identified by the Offeror.

M.5 COST AND FEE EVALUATION FACTORS

The cost proposal and the proposed fee will not be point scored or adjectively rated but will be evaluated for consistency with the Technical and Management Proposal and will be used in determining which proposal represents the best value to the Government. The Government will evaluate the Offeror's cost proposal, supporting data, and cost assumptions to determine completeness, cost realism, cost reasonableness and the Offeror's understanding of the

contract requirements. Based on the Government's analysis of an Offeror's cost proposal, additions or reductions in the proposed cost elements may be made to reflect levels that are considered realistic for contract performance in order to establish the most probable cost of an Offeror's proposal. An unrealistic, unreasonable, or incomplete cost proposal may be evidence of the Offeror's lack of, or poor understanding of, the requirements of the solicitation and thus may adversely affect the Offeror's rating on the Technical and Management Proposal criteria. Based on its review, the Government will determine a most probable cost to the Government. The total evaluated price will be the most probable cost plus the proposed fixed fee (or base fee), if any, and the proposed maximum award fee.

M.6 FAR 52.217-5 EVALUATION OF OPTIONS (JUL 1990)

Except when it is determined in accordance with FAR [17.206](#)(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).